

PHILLIP A. TALBERT
United States Attorney
EMILY G. SAUVAGEAU
JAMES R. CONOLLY
Assistant United States Attorney
501 I Street, Suite 10-100
Sacramento, CA 95814
Telephone: (916) 554-2700
Facsimile: (916) 554-2900

Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

MARIO GONZALEZ,

Defendant.

CASE NO. 2:20-CR-00013 WBS

STIPULATION AND ORDER TO CONTINUE
JUDGMENT AND SENTENCING HEARING AND
MODIFY PRESENTENCE SCHEDULE

DATE: June 24, 2024
TIME: 9:00 a.m.
COURT: Hon. William B. Shubb

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for judgment and sentencing on June 24, 2024. Additionally, defendant filed a motion to dismiss pursuant to *United States v. Duarte*, 101 F.4th 657 (9th Cir. 2024), noting the motion for hearing on June 24, 2024 (the same date and time that was previously set for judgment and sentencing). ECF No. 145. The United States moved to hold the motion to dismiss in abeyance for a period of 60 days or until the Ninth Circuit reaches a decision on the government's petition for rehearing en banc in *Duarte*, whichever is sooner. ECF No. 147. The matter remains on calendar for June 24, 2024.

2. However, additional investigation is necessary before either party is prepared to proceed to sentencing. Thus, by this stipulation, the parties now move to continue the motions hearing and

judgment and sentencing date until August 12, 2024. The parties conferred with the courtroom deputy and understand that this date is available to the Court for a hearing.

3. It is therefore requested that the **motions hearing and judgment and sentencing date** currently scheduled for June 24, 2024 be continued to **August 12, 2024 at 9:00 a.m.** before this Court.

IT IS SO STIPULATED.

Dated: June 18, 2024

PHILLIP A. TALBERT
United States Attorney

/s/ EMILY G. SAUVAGEAU

EMILY G. SAUVAGEAU
JAMES R. CONOLLY
Assistant United States Attorneys


Dated: June 18, 2024

/s/ TAMARA SOLOMAN
TAMARA SOLOMAN
Counsel for Defendant
MARIO GONZALEZ

ORDER

IT IS SO FOUND AND ORDERED.

Dated: June 20, 2024


WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE